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Passaic River – Contaminated Sediment Removal Project Community Interview Questions

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The following questions pertain to the contaminated sediment removal project that will be undertaken in the lower Passaic River by Tierra Solutions, Inc. under EPA oversight. Answers to these questions will be used by EPA in the development of a community involvement plan for the project. General background on the project and sources of additional information are included as an attachment and may be helpful to you in answering the questions.

1. Do you have concerns with or questions about the planned removal of contaminated sediment from the lower Passaic River (i.e., the “removal project”)? If yes, what are they?

Yes. I am concerned that the removal project, while important and long overdue, will delay implementation of the Early Action Plan, as well as the long-term clean-up plan for the entire Superfund site. We have already seen the Early Action Plan schedule slip. I am concerned about overload on the regional staff, who have been very diligent and hardworking throughout this process, but now have to take on additional responsibilities. I am also concerned about losing time as we transition to a new Administration and new staff at the EPA. I also feel that more consideration needs to be given up front on the disposal methods and locations for the both the 40,000 cubic yards of material in Phase I, but also the 160,000 cubic yards of material in Phase II.

2. Which topics, decisions or issues would you like information or opportunities for input on?

I would like more information and background materials on the Administrative Order on Consent, including the materials used in the decision-making leading up to the AOC. It is important that the process moving forward be much more transparent than the process that lead to the AOC. Going forward I am interested in issues related to the impacts to the natural resources related to the removal project and mitigation, dredging techniques, disposal methods and locations of the dredged materials and plans to address public access.

3. Which of the project reports or plans identified in the attachment do you feel are most critical to either you, or the public in general, to review and comment on?

They are all important to Baykeeper.

4. Who specifically in the community should EPA reach out to as the removal project is planned and implemented?

Residents and business owners in municipalities adjacent to the lower Passaic River, local and federal elected officials, nonprofits

5. What are the most effective tools for sharing information and providing input? (e.g., fact sheets, public meetings or sessions, Web site, stakeholder meetings, media interviews, etc.)

All the methods on the above list should be used, as each constituency has different needs and abilities to review and respond to the information. Please also consider signage along the waterfront explaining the project and identifying the responsible parties. Please also make sure that local repositories for the documents are up-to-date. Your existing listserv is helpful and perhaps can be utilized even more.

6. Does the community need technical assistance support to understand this project better and/or to effectively provide input to EPA on the project plans and reports? Do you feel that the community is aware of Passaic River Coalition's Technical Assistance Grant (TAG) and how to seek their assistance?

The community definitely needs technical assistance support. I feel very strongly that the community is NOT aware of Passaic River Coalition's Technical Assistance Grant, nor how to seek their assistance. As a fully staffed nonprofit that has been active on the lower Passaic River for many years, I am not even sure how to seek PRC's assistance, nor have I ever been approached to participate in a steering committee or the like by PRC. I am not even sure if PRC has generated any comments on any of the technical documents. Baykeeper has in the past advocated for an additional TAG award, especially after Newark Bay was added to the Superfund site. This request still stands and is perhaps even more valid today as further permutations are added to this site.

EPA needs to play a more active role in the TAG implementation.

7. What source(s) of information would you prefer to get information from? (e.g., EPA, State of New Jersey, Tierra Solutions, media, elected officials, etc.)

EPA and State of New Jersey. It is apparent after the most recent media event by Tierra Solutions that they deliberately left out certain nonprofits from notification, including Baykeeper, even after the event. Tierra Solutions cannot be trusted to fairly distribute information.

8. How often would you like to get information about the project? (e.g., at regular project team meetings, more frequently than the project team meetings, monthly, quarterly, etc.)

The project delivery team meetings are very helpful. For more time-sensitive information (e.g., the release of a public document with a public comment period) a quicker system of dissemination should be utilized.

9. What would be the best location to hold a public meeting or information session with the public to discuss the removal project?

On the banks of Passaic River at the removal site.

10. Do you have any other concerns, suggestions or comments about the removal project?

ATTACHMENT

GENERAL BACKGROUND ON REMOVAL PROJECT

Information on the removal project can be found at www.ourpassaic.org. On this Web site you will find:

Administrative Order on Consent and Statement of Work

(http://projects.pirnie.com/projectsites/premis_public/DM/index.cfm/Removal%20Agreement.pdf?fuseaction=GetDoc&DocId=9235)

Work Plan for the Phase 1 Engineering Evaluation/Cost Analysis (EE/CA)

(http://projects.pirnie.com/projectsites/premis_public/DM/index.cfm/Final%20EECA%20WP%208_29_08.pdf?fuseaction=GetDoc&DocId=9391)

Phase 1:

During Phase 1 of the removal project, 40,000 cubic yards of the most highly contaminated sediment will be removed directly in front of the Diamond Alkali site in Newark. Sediment will be removed to an approximate depth of 12 feet below sediment surface. Work will be contained by a sheet pile enclosure. Sediment will be sent to an off-site disposal facility.

- **Phase 1 Engineering Evaluation/Cost Analysis (EE/CA) (mid-November 2008 release)**

The Phase 1 EE/CA will be made available to the public for a 30-day review and comment. The EE/CA will identify the scope, goals, and objectives of the removal action and will include a proposed schedule for completion of removal activities. It will identify removal action alternatives that will meet the objectives of the removal action and evaluate the developed alternatives for effectiveness, implementability, and cost. The EE/CA will also compare alternatives.

- **Phase 1 Action Memorandum (January 2009)**

Describes the selected removal plan and responds to public comments.

- **Removal Design Work Plan for Phase 1 (early 2009)**

The Removal Design Work Plan shall include plans and schedules for implementation of all Phase 1 design tasks identified in the Statement of Work (SOW) attached to the Administrative Order on Consent dated June 23, 2008, including:

- Sampling and Analysis Plan for Off-Site Disposal of Dredged Material
- Quality Assurance Plan
- Health and Safety Plan
- Geotechnical Investigation Plan
- Sediment Assessment
- Sediment Excavation Enclosure Plan
- Sediment Excavation Plan
- Post-Phase I/Pre-Phase II Condition Plan
- Transportation Plan for Off-Site Disposal
- Water Treatment Plan (dredged material supernatant)
- Habitat Assessment/Restoration Studies

- **Removal Design work (performed throughout 2009)**

- **Phase 1 Removal Design Report**

- **Removal Action Work Plan**

Provides for the construction and implementation of the Phase I Removal Design Work Plan.

- **Phase 1 Removal (performed 2010 – 2011)**

- **Phase 1 Final Report (60 days after completion of Phase 1 work)**

The final report will summarize the actions taken to comply with the Administrative Order on Consent. It will include an estimate of total costs or a statement of actual costs incurred, a listing of quantities and types of materials removed off-Site or handled on-Site, a discussion of removal and disposal options considered for those materials, a listing of the ultimate destination(s) of those materials, a presentation of the analytical results of all sampling and analyses performed, and accompanying appendices containing all relevant documentation generated during the removal action.

Phase 2:

During Phase 2 of the removal project, 160,000 cubic yards of contaminated sediment will be removed adjacent to the Diamond Alkali site in Newark. Work will be contained by a sheet pile enclosure. Sediment will be placed in a Confined Disposal Facility within the Newark Bay area.

- **Work Plan for Phase 2 Engineering Evaluation/Cost Analysis (EE/CA) (30 days after EPA approval of Phase 1 Removal Design Work Plan; early 2009)**

The Phase 2 EE/CA will be made available to the public for 30-day review and comment. The EE/CA will identify the scope, goals, and objectives of the removal action, with a proposed schedule for completion of removal activities; and identifies removal action alternatives that will meet the objectives of the removal action and evaluates the developed alternatives for effectiveness, implementability, and cost, as well as comparing the alternatives.

- **Phase 2 Engineering Evaluation/Cost Analysis (EE/CA)**

The Phase 2 EE/CA will be made available to the public for a 30-day review and comment. The EE/CA will identify the scope, goals, and objectives of the removal action and will include a proposed schedule for completion of removal activities. It will identify removal action alternatives that will meet the objectives of the removal action and evaluate the developed alternatives for effectiveness, implementability, and cost. The EE/CA will also compare alternatives.

- **Phase 2 Action Memorandum**

Describes the selected removal plan and responds to public comments.

- **Removal Design Work Plan for Phase 2**

The Removal Design Work Plan shall include plans and schedules for implementation of all Phase 1 design tasks identified in the Statement of Work (SOW) attached to the Administrative Order on Consent dated June 23, 2008, including:

- Health and Safety Plan
- Geotechnical Investigation Plan(excavation site & CDF location)

- Sediment Assessment
 - Sediment Excavation Enclosure Plan
 - Sediment Excavation Plan
 - Materials Handling and Transportation Plan
 - Water Treatment Plan (dredged material supernatant)
 - Confined Disposal Facility (CDF) Enclosure & Cap Design
 - Long Term Monitoring Program
 - Post-Phase II Condition Plan
 - Habitat Assessment & Restoration Studies
- **Removal Design work**
 - **Phase 2 Removal Design Report**
 - **Removal Action Work Plan**

Provides for the construction and implementation of the Phase 2 Removal Design Work Plan.
 - **Phase 2 Removal**
 - **Phase 2 Final Report (60 days after completion of Phase 2 work)**

The final report will summarize the actions taken to comply with the Administrative Order on Consent. It will include an estimate of total costs or a statement of actual costs incurred, a listing of quantities and types of materials removed off-Site or handled on-Site, a discussion of removal and disposal options considered for those materials, a listing of the ultimate destination(s) of those materials, a presentation of the analytical results of all sampling and analyses performed, and accompanying appendices containing all relevant documentation generated during the removal action.